

Message Text

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ORIGIN PM-05

INFO OCT-01 EUR-12 ISO-00 CIAE-00 INR-07 L-03 ACDA-12

NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06 TRSE-00

EB-08 COME-00 MCE-00 DODE-00 /073 R

DRAFTED BY PM/SAS:FCORRY:RF

APPROVED BY T-LES BROWN

PM - MR. GELB

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P 310125Z DEC 77

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS PRIORITY

C O N F I D E N T I A L STATE 311105

E.O. 11652: GDS

TAGS:MASS, NATO, BE

SUBJECT:BELGIAN I-HAWK MOU

REF: BRUSSELS 19332

1. TO MEET VANDEN BOEYNANTS REQUEST NOTED REFTEL, WE ARE
SENDING HERewith TEXT OF DRAFT MOU (AGREED BY STATE AND
DEFENSE) FOR TRANSMISSION TO GOB. TEXT FOLLOWS.

"MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF
BELGIUM AND THE GOVERNMENT OF THE UNITED STATES
CONCERNING I-HAWK PROGRAM

"1. THE GOVERNMENT OF BELGIUM, ACTING THROUGH THE
MINISTRY OF DEFENSE (HEREINAFTER CALLED THE MOD) INTENDS TO
PURCHASE THE I-HAWK MISSILE SYSTEM, WITH ASSOCIATED
SUPPORTING DEFENSE ARTICLES AND SERVICES, FROM U.S. SOURCES.

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"2. THE OBJECTIVE OF THIS MEMORANDUM OF UNDERSTANDING
(MOU) IS TO FACILITATE THROUGH THE WAIVING OF BUY
AMERICAN AND OTHER PRICE DIFFERENTIALS ON DEFENSE
PURCHASES, THE FLOW OF BELGIAN PRODUCTS TO THE U.S. IN AN
AMOUNT EQUAL TO THE NET DOLLAR AMOUNT FLOWING TO THE U.S.

AS A RESULT OF THE PURCHASE BY THE BELGIAN GOVERNMENT

OF THE MISSILE SYSTEM AND SUPPORTING EQUIPMENT SET OUT IN
PARAGRAPH 1.

"3. THE RAYTHEON CORPORATION IS PREPARED TO ASSIST
BELGIUM IN SEEKING OPPORTUNITIES FOR THE PURCHASE OF
BELGIAN PRODUCTS IN A SEPARATE AGREEMENT BETWEEN THE
BELGIAN GOVERNMENT AND THE RAYTHEON CORPORATION. ALTHOUGH
IT IS RECOGNIZED THAT SUCH ASSISTANCE TO BELGIUM WILL
BE THE RESPONSIBILITY OF RAYTHEON AND RELATED CONTRACTORS,
THE U.S. DEPARTMENT OF DEFENSE (HEREINAFTER CALLED THE DOD)
WILL SIMULTANEOUSLY AUGMENT INDUSTRY EFFORTS BY OFFERING
TO BELGIAN INDUSTRY THE OPPORTUNITY TO PROVIDE DEFENSE
ARTICLES AND SERVICES UNDER ITS SOLICITATION PROCEDURES IN
ACCORDANCE WITH PARAGRAPH 5.

"4. IN ORDER TO ACHIEVE THE OBJECTIVE OF THIS MOU, THE DOD,
CONTINGENT ON THE PURCHASE OF THE ABOVE SYSTEM BY THE
GOVERNMENT OF BELGIUM, FURTHER AGREES TO USE ITS BEST
EFFORTS TO HAVE RAYTHEON AND OTHER COMPANIES ASSOCIATED
WITH THE I-HAWK PROGRAM PROVIDE BELGIAN INDUSTRY WITH THE
OPPORTUNITY TO COMPETE FOR SUB-CONTRACTS.

"5. THE DOD FOR ITS PART AGREES THAT, COMMENCING ON THE
DATE ON WHICH THE PROCUREMENT CONTRACT IS SIGNED WITH THE
RAYTHEON CORPORATION FOR THE PURCHASE OF THE ABOVE SYSTEM,
IT WILL:
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A. EVALUATE OFFERS FROM BELGIAN INDUSTRY WITHOUT
APPLYING PRICE DIFFERENTIALS RESULTING FROM U.S. BUY
NATIONAL LAWS OR REGULATIONS.

B. CONSISTENT WITH U.S. LAWS AND POLICIES WAIVE
APPLICABLE CUSTOMS DUTIES OR OTHER RESTRICTIONS.

C. USE ITS BEST EFFORTS TO HAVE TECHNICAL DATA
REQUIRED FOR PRODUCTION TO BELGIAN CONTRACTORS ON A
REASONABLE COST BASIS.

D. FACILITATE THE NECESSARY EXPORT LICENSES REQUIRED
FOR THE PROVISION OF BID PACKAGES AND RELATED TECHNICAL
DATA TO ACCOMPLISH THE ABOVE.

"6. THE BELGIAN MOD AND ITS ORGANIZATIONS WILL USE THEIR
GOOD OFFICES AND AUTHORITY TO PROVIDE:

A. DIRECTION TO BELGIAN INDUSTRY ON STEPS TO BE TAKEN
BY BELGIAN INDUSTRIAL FIRMS TO MAKE KNOWN THEIR

CAPABILITIES AND PRODUCTS WHICH MIGHT QUALIFY FOR COMPETITIVE PROCUREMENT BY U.S. INDUSTRY AND, TO THE EXTENT NECESSARY, BY THE DOD.

B. ASSISTANCE TO BELGIAN INDUSTRY IN MEETING HANDLING REQUIREMENTS FOR CLASSIFIED U.S. INFORMATION.

C. NECESSARY PROTECTION OF TECHNICAL DATA PROVIDED BY THE DOD TO BELGIAN INDUSTRY TO INSURE THAT IT IS USED SOLELY FOR THE PURPOSES OF THIS AGREEMENT AND THAT NO OTHER USE IS MADE OF THIS DATA EXCEPT WITH THE PRIOR WRITTEN AGREEMENT OF THE U.S. GOVERNMENT.

"7. U.S. TECHNICAL DATA CONVEYED TO BELGIAN INDUSTRY IN CONFIDENTIAL

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FURTHERANCE OF THIS ARRANGEMENT WILL BE HANDLED IN ACCORDANCE WITH THE BASIC SECURITY PRINCIPLES FOR THE PROTECTION OF U.S. CLASSIFIED INFORMATION CONTAINED IN THE GENERAL SECURITY OF INFORMATION AGREEMENT EFFECTED BY THE U.S. DEPARTMENT OF STATE AND THE GOVERNMENT OF BELGIUM ON 9 AUGUST 1960.

"8. THE MOD AND THE DOD WILL APPOINT PROJECT OFFICERS TO MONITOR PROGRESS UNDER THIS MOU. THESE PROJECT OFFICERS WILL MEET PERIODICALLY, BUT NOT LESS THAN ANNUALLY, TO REVIEW THE PROGRESS OF THIS UNDERSTANDING AND RECOMMEND SUCH ACTION AS MAY APPEAR NECESSARY.

"9. BOTH RAYTHEON AND THE DOD WILL KEEP RECORDS OF THOSE PURCHASES MADE FROM BELGIAN SOURCES IN FURTHERANCE OF THIS AGREEMENT. THE MOD WILL KEEP SIMILAR RECORDS. SUCH INFORMATION WILL BE EXCHANGED BETWEEN THE DOD AND THE MOD PRIOR TO THE PERIODIC REVIEWS CALLED FOR UNDER PARAGRAPH 7.

"10. THIS MOU IS EFFECTIVE ON THE DATE OF THE LAST SIGNATURE HERETO AND, SUBJECT TO THE RESPECTIVE LAWS OF THE GOVERNMENTS OF BELGIUM AND THE UNITED STATES, SHALL REMAIN IN EFFECT UNTIL THE TOTAL DOLLAR VALUE OF DOD PURCHASES FROM BELGIAN SOURCES EQUALS THE NET DOLLAR AMOUNT FLOWING TO THE US AS THE RESULT OF THE PURCHASE OF THE I HAWK SYSTEM, TAKING INTO ACCOUNT THE PURCHASES MADE FROM BELGIAN SOURCES BY RAYTHEON AND OTHER COMPANIES AS DESCRIBED IN PARAGRAPH 4." CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, AGREEMENTS, MILITARY SALES, MISSILES
Control Number: n/a
Copy: SINGLE
Sent Date: 31-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: FCORRY:RF
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780003-0879
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977121/aaaaaaha.tel
Line Count: 165
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Litigation History:
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Original Classification: CONFIDENTIAL
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Review Exemptions: n/a
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 100580
Secure: OPEN
Status: NATIVE
Subject: BELGIAN I-HAWK MOU
TAGS: MASS, BE, US, NATO
To: BRUSSELS
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/18de20fb-c188-dd11-92da-001cc4696bcc
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